In the Claims:

Please amend the claims as follows:

1. (Currently amended) A tissue immobilizing device for stabilizing tissue within a patient's body cavity, comprising:

an arm having a distal end and a proximal end;

an actuator carried on the arm proximal end, the actuator having a first control member and a second control member;

a spreader carried on the arm distal end, the spreader coupled to the actuator;

a first tissue engaging member carried on the arm distal end and coupled to the spreader, the first tissue engaging member having a first position, a second position, and at least a third position; and,

a second tissue engaging member carried on the arm distal end coupled to the spreader, the second tissue engaging member having a first position, a second position, and at least a third position;

wherein the actuator is configured to operate the spreader to selectively control the movement of the first tissue engaging member among the first position, and the second position by operation of the first control member, and between the second position and the third position by operation of the second control member and selectively control the movement of the second tissue engaging member among the first position, and the second position by operation of the first control member, and between the second and the third position by operation of the second control member, wherein the first and second tissue engaging members are substantially parallel in the first position and at least one of the second and third positions.

2. (Previously presented) The tissue immobilization device as in claim 1 wherein the selective amount of spreading permits a first tissue engaging member and a second tissue engaging member to be spread proximate to the tissue area desired to be stabilized.

3. (Previously presented) The tissue immobilization device as in claim 1 wherein the first tissue engaging member and the second tissue engaging member move substantially parallel to one another when the first tissue engaging member moves from the second position to the third position and the second tissue engaging member moves from the second position to the third position.

4. (Currently amended) The tissue immobilization device as in claim 1 wherein at least one of the ~~actuator~~ first and second control members is a mechanical control.

5. (Previously presented) The tissue immobilization device as in claim 4 wherein the mechanical control is a hand lever control.

6. (Previously presented) The tissue immobilization device as in claim 4 wherein the mechanical control is a control knob.

7. (Previously presented) The tissue immobilization device as in claim 4 wherein the mechanical control is a control slide.

8. (Previously presented) The tissue immobilization device as in claim 1, wherein the actuator is controlled by a clinician.

9. (Previously presented) The tissue immobilization device as in claim 8 wherein the actuator is a device selected from the group consisting of an automated system, a robot, an electromechanical device, and a mechanical device.

10. (Previously presented) The tissue immobilization device as in claim 1 wherein the first tissue engaging member and the second tissue engaging member are spaced apart a first distance when the first tissue engaging member is in the first position and the second tissue engaging member is in the first position.

11. (Previously presented) The tissue immobilization device as in claim 10 wherein the first distance is less than about 15 mm causing the first tissue engaging member and the second tissue engaging member to be substantially together.

12. (Previously presented) The tissue immobilization device as in claim 10 wherein the first tissue engaging member and the second tissue engaging member are spaced apart a second distance that is greater than the first distance when the first tissue engaging member is in the second position and the second tissue engaging member is in the second position.

13. (Previously presented) The tissue immobilization device as in claim 12 wherein when the first tissue engaging member and the second tissue engaging member are spaced apart a third distance that is greater than a second distance when the first tissue engaging member is in the third position and the second tissue engaging member is in the third position.

14. (Previously presented) The tissue immobilization device as in claim 1 wherein the arm is configured to fasten to a stationary object to substantially fix the first tissue engaging member and the second tissue engaging member in relation to the stationary object.

15. (Previously presented) The tissue immobilization device as in claim 14 wherein the stationary object is a trocar sleeve.

16. (Previously presented) The tissue immobilization device as in claim 14 wherein the stationary object is selected from the group consisting of an operating table and a retractor.

17. (Previously presented) The tissue immobilization device as in claim 1 wherein the first tissue engaging member and the second tissue engaging member have a

coupling surface selected from the group consisting of at least one suction cup, an adhesive surface, and a friction surface.

18. (Previously presented) The tissue immobilization device as in claim 17 wherein the at least one suction cup is coupled to a suction source.

19. (Previously presented) The tissue immobilization device as in claim 1, further comprising an arm variable joint positioned between the arm distal end and arm proximal end for articulating the arm to position the arm distal end.

20. (Previously presented) The tissue immobilization device as in claim 19, further comprising a variable joint positioner.

21. (Previously presented) The tissue immobilization device as in claim 20 wherein the arm variable positioner is selected from the group consisting of an automated system, robotic system, an electro-mechanical control, and a mechanical control.

22. (Canceled)

23. (Currently amended) A tissue immobilizing device, comprising: an arm having a distal end and a proximal end;

an actuator positioned on the arm proximal end, the actuator having a first control member and a second control member;

a first tissue engaging member, the first tissue engaging member having a first position, a second position, and at least a third position;

a second tissue engaging member operable positioned to the first tissue engaging member, the second tissue engaging member having a first position, a second position, and at least a third position; and

a spreader coupled to the first tissue engaging member and coupled to the second tissue engaging member, a spreader positioned on the arm distal end, the spreader coupled to the actuator, the spreader configured to move the first tissue engaging member

among the first position, the second position, and the third position, and the second tissue engaging member among the first position, the second position, and the third position so a selective amount of substantially parallel spreading occurs, wherein movement of first tissue engaging member from the first position to the second position is effected by moving the first control member and movement of second tissue engaging member from the first position to the second position is effected by moving the first control member, and wherein movement of first tissue engaging member from the second position to the third position is effected by moving the second control member and movement of second tissue engaging member from the second position to the third position is effected by moving the second control member.

24. (Previously presented) The tissue immobilization device as in claim 23 wherein the selective amount of spreading permits a first tissue engaging member and a second tissue engaging member to be spread proximate to the tissue area desired to be stabilized.

25. (Previously presented) The tissue immobilization device as in claim 23, wherein the selective spreading is accomplished with the actuator positioned on the arm, the actuator being coupled to the spreader and controllable by a clinician.

26. (Currently amended) The tissue immobilization device as in claim 25 wherein ~~the actuator~~ at least one of the first control member and second control member is a mechanical control.

27. (Previously presented) The tissue immobilization device as in claim 26 wherein the mechanical control is a hand lever control.

28. (Previously presented) The tissue immobilization device as in claim 26 wherein the mechanical control is a control knob.

29. (Previously presented) The tissue immobilization device as in claim 26 wherein the mechanical control is a control slide.

30. (Currently amended) The tissue immobilization device as in claim ~~26~~ 25 wherein the actuator is controlled by a clinician using a device selected from the group consisting of an automated system, a robot, an electro-mechanical device, and a mechanical device.

31. (Currently amended) A tissue immobilizing device, comprising: an arm having a distal end and a proximal end;

an actuator coupled to the arm proximal end, the actuator having a first control member and a second control member;

a first tissue engaging member, the first tissue engaging member having a first position, a second position, and at least a third position;

a second tissue engaging member operable positioned to the first tissue engaging member, the second tissue engaging member having a first position, a second position, and at least a third position; and,

means for spreading coupled to the first tissue engaging member and coupled to the second tissue engaging member, means for spreading coupled to the arm distal end and the actuator, the means for spreading configured to move the first tissue engaging member among the first position, the second position, and the third position, and the second tissue engaging member among the first position, the second position, and the third position so a selective amount of substantially parallel spreading occurs, wherein movement of first and second tissue engaging members from the first position to the second position is effected by moving the first control member and movement of first and second tissue engaging members from the second position to the third position is effected by moving the second control member.

32. (Currently amended) A method for immobilizing a tissue area within a patient's body, comprising:

introducing a first tissue engaging member carried on an arm distal end

and a second tissue engaging member carried on the arm distal end into a patient's body with the first tissue engaging member and second tissue engaging member configured substantially together;

spreading the first tissue engaging member away from the second tissue engaging member after the first tissue engaging member and second tissue engaging member are within the patient's body by moving a first control member;

controlling the spreading of the first tissue engaging member away from the second tissue engaging member from a remote location outside the patient's body by moving a second control member, so a selective amount of substantially uniform parallel spreading occurs;

coupling the first tissue engaging member to a first tissue surface and the second tissue engaging member to a second tissue surface to stabilize a tissue area within the patient's body; and,

fastening the arm to a stationary object to substantially fix the first tissue engaging member and the second tissue engaging member in relation to the stationary object.

33. (Previously presented) The method as in claim 32 wherein the selective amount of spreading permits a first tissue engaging member and a second tissue engaging member to be spread proximate to the tissue area desired to be stabilized.

34. (Canceled)

35. (Currently amended) The method as in claim ~~34~~ 32 wherein the ~~actuator~~ control member is a mechanical control.

36. (Previously presented) The method as in claim 35 wherein the mechanical control is a hand lever control.

37. (Previously presented) The method as in claim 35 wherein the mechanical control is a control knob.

38. (Previously presented) The method as in claim 35 wherein the mechanical control is a control slide.

39. (Amended) The method as in claim ~~34~~ 32 wherein the ~~actuator~~ control member is controlled by a clinician using a device selected from the group consisting of an automated system, a robot, an electro-mechanical device, and a mechanical device.

40. (Previously presented) The method as in claim 32 wherein the stationary object is a trocar sleeve.

41. (Previously presented) The method as in claim 32 wherein the stationary object is selected from the group consisting of an operating table, and a retractor.

42. (Previously presented) The method as in claim 32 wherein introducing is accomplished through an entry point.

43. (Previously presented) The method as in claim 42 wherein the entry point is selected from the group consisting of an incision, a stab wound, a cannula, a trocar sleeve, a port, and an endoscopic access.

44. (Previously presented) The method as in claim 42 wherein the entry point located is selected from the group consisting of a chest wall, an intercostal space, and a sternum.

45. (Previously presented) The method as in claim 42 wherein the entry point of a chest wall also includes penetration of the pericardium.

46. (Previously presented) The method as in claim 32 wherein coupling is accomplished with the first tissue engaging member and the second tissue engaging member having a coupling surface selected from the group consisting of at least one suction cup, an adhesive surface, and a friction surface.

47. (Previously presented) The method as in claim 46 wherein the at least one suction cup is coupled to a suction source.

48. (Previously presented) A method for placing immobilized tissue within a patient's body under tension, comprising:

introducing a first tissue engaging member carried on an arm distal end and a second tissue engaging member carried on the arm distal end into a patient's body with the first tissue engaging member and second tissue engaging member configured substantially together;

spreading the first tissue engaging member away from the second tissue engaging member a first distance after the first tissue engaging member and second tissue engaging member are within the patient's body;

coupling the first tissue engaging member to a first tissue surface and the second tissue engaging member to a second tissue surface to substantially immobilize a tissue area within the patient's body;

spreading the first tissue engaging member away from the second tissue engaging member while maintaining the first tissue engaging member substantially parallel to the second tissue engaging member a second distance after the first tissue engaging member has been coupled to the first tissue surface and second tissue engaging member has been coupled to the second tissue surface to place the substantially immobilized tissue under tension within a patient's body; and,

fastening the arm to a stationary object to substantially fix the first tissue engaging member and the second tissue engaging member in relation to the stationary object.

49. (Previously presented) The method as in claim 48 wherein the substantially immobilized tissue under tension increases tissue stability compared to substantially immobilized tissue that is not under tension.

50. (Previously presented) The method as in claim 48 wherein the substantially immobilized tissue under tension increases tissue exposure compared to substantially immobilized tissue that is not under tension.

51. (Previously presented) The tissue immobilization device as in claim 1 wherein the first and second tissue engaging members have a contact surface that is sized and shaped to engage tissue.

52. (Previously presented) The tissue immobilization device as in claim 51 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

53. (Previously presented) The tissue immobilization device as in claim 52 wherein the contact surfaces of the first and second tissue engaging members are adapted to couple the first and second tissue engaging members to tissue.

54. (Previously presented) The tissue immobilization device as in claim 22 wherein the first and second tissue engaging members have a contact surface adapted to engage tissue.

55. (Previously presented) The tissue immobilization device as in claim 54 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

56. (Previously presented) The tissue immobilization device as in claim 55 wherein the contact surfaces of the first and second tissue engaging members are adapted to couple the first and second tissue engaging members to tissue.

57. (Previously presented) The tissue immobilization device as in claim 23 wherein the first and second tissue engaging members have a contact surface adapted to engage tissue.

58. (Previously presented) The tissue immobilization device as in claim 57 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

59. (Previously presented) The tissue immobilization device as in claim 58 wherein the contact surfaces of the first and second tissue engaging members are adapted to couple the first and second tissue engaging members to tissue.

60. (Previously presented) The tissue immobilization device as in claim 31 wherein the first and second tissue engaging members have a contact surface adapted to engage tissue.

61. (Previously presented) The tissue immobilization device as in claim 60 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

62. (Previously presented) The tissue immobilization device as in claim 61 wherein the contact surfaces of the first and second tissue engaging members are adapted to couple the first and second tissue engaging members to tissue.

63. (Previously presented) The method as in claim 32 wherein the first and second tissue engaging members have a contact surface adapted to engage tissue.

64. (Previously presented) The method as in claim 63 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

65. (Previously presented) The method as in claim 64 further comprising the step of applying suction from a suction source to the suction lumen of the first and second

tissue engaging members to couple the first and second tissue engaging members to the first and second tissue surfaces.

66. (Previously presented) The method as in claim 48 wherein the first and second tissue engaging members have a contact surface adapted to engage tissue.

67. (Previously presented) The method as in claim 66 wherein the first and second tissue engaging members have a suction lumen open to the atmosphere through the contact surface.

68. (Previously presented) The method as in claim 67 further comprising the step of applying suction from a suction source to the suction lumen of the first and second tissue engaging members to couple the first and second tissue engaging members to the first and second tissue surfaces.

69. (New) The tissue immobilization device as in claim 1 wherein the first control member includes a first stop position, the first stop position corresponding to the first position of the first tissue engaging member and also corresponding to the first position of the second tissue engaging member.

70. (New) The tissue immobilization device as in claim 69 wherein the first control member includes a second stop position, the second stop position corresponding to the second position of the first tissue engaging member and also corresponding to the second position of the second tissue engaging member.

71. (New) The tissue immobilization device as in claim 70 wherein a biasing member biases the control member toward at least one of the first and second stop positions.

72. (New) The tissue immobilization device as in claim 23 wherein the first control member further comprises a stop position, wherein movement of first tissue

engaging member from the first position to the second position is effected by moving the control member to the stop position and movement of second tissue engaging member from the first position to the second position is effected by moving the control member to the stop position.

73. (New) The tissue immobilization device as in claim 72 wherein a biasing member biases the control member toward the stop position.